

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

LEE FITZGERALD and KATHERINE  
ADLER, each individually and on behalf of  
all others similarly situated,

Plaintiffs,

v.

THE SHADE STORE, LLC,

Defendant.

CASE NO. C23-1435RSM

ORDER DENYING MOTION FOR  
OVERLENGTH BRIEF

This matter comes before the Court on Defendant The Shade Store, LLC's Motion for Leave to File Over-length Brief. Dkt. #72.

"Motions seeking approval to file an over-length motion or brief are disfavored..." LCR 7(f). A Motion for class certification and its opposition are typically limited to 8,400 words. LCR 7(e)(3). Plaintiffs have already filed a motion for class certification within that limit. Defendant now asks to file an additional 4,100 words in opposition for a total of 12,500 words. Dkt. #72 at 1.

Defendant asks for this 50% increase "to ensure it can adequately address the issues posed by Plaintiffs' Motion for Class Certification." *Id.* Defendant points out that it will need to address five causes of action, "[t]hree separate proposed class-wide damages models," the

1 testimony of four expert witnesses, and “[t]he experiences and testimony of two named  
2 Plaintiffs, as well as five Shade Store customers.” Plaintiffs “do not take a position” on this  
3 request. *Id.* at 2.

4 While it may be true that this case involves several causes of action and issues, such  
5 could be said for most of the Court’s cases. Plaintiffs had no need to request overlength  
6 briefing. Neither should Defendant.

7 Defendants have failed to justify a departure from the Local Rules on briefing length.  
8 Accordingly, having reviewed the Motion and the remainder of the record, the Court hereby  
9 finds and ORDERS that Defendant’s Motion for Leave to File Overlength Brief, Dkt. #72, is  
10 DENIED.

11 DATED this 24<sup>th</sup> day of April, 2025.

12  
13 

14 RICARDO S. MARTINEZ  
15 UNITED STATES DISTRICT JUDGE  
16  
17  
18  
19  
20  
21  
22  
23  
24